



IFW

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/809,115
	Filing Date	March 25, 2004
	First Named Inventor	Michael A. Pouchak
	Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	H0005606-9952 (1161.1126101)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>  Form PTO 1449 5 cited non-U.S. Patent/Publication References Returned Postcard		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Brian N. Tufte, Reg. No. 38,638	
Signature		
Date	July 26, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Lynn Thompson		
Signature		Date	July 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Pouchak et al.

Examiner: Unknown

Serial No. 10/809,115

Group Art Unit: Unknown

Filed: March 25, 2004

Confirmation No.: Unknown

For: MULTI-STAGE BOILER STAGING AND MODULATION CONTROL METHODS  
AND CONTROLLERS

Docket No.: H0005606-9952 (1161.1126101)

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Mail Stop Amendments  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Amendment Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 26<sup>th</sup> day of July, 2004.

By: \_\_\_\_\_

Brian N. Tufte

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F. R. §1.98(a)(2), a copy of each non-US patent document or other information listed on the enclosed Form 1449 is provided.

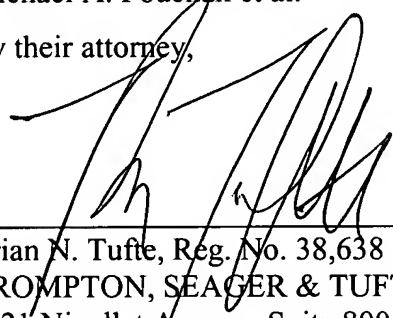
No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

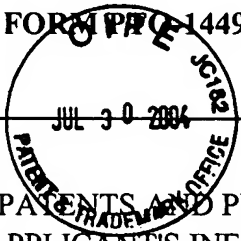
Michael A. Pouchak et al.

By their attorney,

A handwritten signature in black ink, appearing to read 'Brian N. Tufte', is written over a horizontal line.

Brian N. Tufte, Reg. No. 38,638  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2402  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349

Dated: July 26, 2004

Page 1 of 1 FORM PTO-1449 	Atty. Docket No.: H0005606-9952 (1161.1126101)	Serial No.: 10/809,115
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Michael A. Pouchak et al.	
	Filing Date: March 25, 2004	Group Art: unknown

### U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	
	2002/0193890A1	12/2002	Pouchak	
	4,373,663	02/1983	Hammer	
	6,536,678	03/2003	Pouchak	
	6,540,148	04/2003	Salsbury et al.	
	6,694,927	02/2004	Pouchak et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Country	Translation Yes No

### OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	ES Engineered Systems, "Features Item: A New Look At Modular Boiler Systems," 10 pages, March 2001.
	Lochinvar, "Intelli-Fin Gas Fired Boilers," 6 pages, April 2003.
	Lochinvar, "Intelli-Fin Sequencing Options Mean New Levels of Building Efficiency," 2 pages, November 2002.
	Slant Fin Terra Therma, "Typical Applications, 15 pages, February 2002.
	Triad Boiler Systems Inc., "Modular Steel Firetube Packaged Boiler Systems," 3 pages, March 12, 2004.
EXAMINER:	DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.